



ATTORNEYS AT LAW



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
John M. Covert
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr
Michael V. Messinger
Judith U. Kim
Jeffrey T. Helvey
Eldora L. Ellison
Donald R. Banowitz
Peter A. Jackman
Brian J. Del Buono
Mark Fox Evans

Vincent L. Capuano
Elizabeth J. Haanes
Michael D. Specht
Kevin W. McCabe
Glenn J. Perry
Theodore A. Wood
Edward W. Yee
Grant E. Reed
Jason D. Eisenberg
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longsworth
Lori A. Gordon
Laura A. Vogel
Shannon A. Carroll
Anbar F. Khal
Michelle K. Holoubek
Marsha A. Rose

Scott A. Schaller
Lei Zhou
W. Blake Coblenz
James J. Pohl
John T. Haran
Mark W. Rygiel
Michael R. Malek*
Carla Ji-Eun Kim
Doyle A. Siever*
Ulrike Winkler Jenks
Paul A. Calvo
C. Matthew Rozier
Randall K. Baldwin
Lori M. Brandes
Jeffrey K. Mills
Jeremy M. Klass
Stephanie L. Elmer
Mita Mukherjee*
Scott M. Woodhouse*
Jeremiah B. Frueauf
Christian A. Camarue*
Richard D. Collier III

Anne M. Georgalas
Patrick P. Hansen
Ross G. Hicks
Keisha Hylton-Rodic
Bonnie Nannenga-Combs
Alyssa K. Sandrowitz*
Jonathan M. Strang*
Ishan P. Weerakoon*
Salvador M. Bezoz*
Justin T. Sher
Byron L. Pickard
Richard B. Almon**
Bruce B. Vance

Registered Patent Agents*

Karen R. Markowicz
Peter A. Socarras
Danielle L. Letting
Steven C. Openheimer
Aaron S. Lukas
Gaurav Asthana
Robert E. Bakin

Yasser Mourtada
Kellie K. DiNapoli
Julie L. Blum
Cynthia L. DeRenzo
Alyson C. Fuller
Omar F. Amin
Sharon I. Ashraf
Kavon Nasabzadeh

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie
Christopher P. Wrist
David C. Isaacson

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**Admitted only in Virginia
•Practice Limited to Federal Agencies

December 29, 2008

WRITER'S DIRECT NUMBER:
(202) 772-8856

INTERNET ADDRESS:
KMCCABE@SKGF.COM

Art Unit 1644

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Appl. No. 10/765,097; Filed: January 28, 2004
For: **Means for Detection and Purification of CD8+T Lymphocyte Populations Specific to Peptides Presented in the Context of HLA**
Inventors: LANG *et al.*
Our Ref: 2512.0240002/KWM/ROM (2102-183-DIV)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
3. 1 page of a paper copy of the substitute Sequence Listing;
4. A computer readable copy of the substitute Sequence Listing; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
December 29, 2008
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Kevin W. McCabe
Attorney for Applicants
Registration No. 41,182

KWM/ROM:dbj
Enclosures

920657_1.DOC



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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,097	01/28/2004	Francois Lang	BECKI1170-1	9827
7590	12/04/2008			
Beckman Coulter, Inc. c/o DLA PIPER US LLP Suite 1100 4365 Executive Drive San Diego, CA 92121-2133			EXAMINER DIBRINO, MARIANNE NMN	
			ART UNIT 1644	PAPER NUMBER
			MAIL DATE 12/04/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



DEC 29 2008
PATENT & TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NO. /CONTROL NO. 10765097	FILING DATE 1/28/04	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION LANG ET AL.	ATTORNEY DOCKET NO. BECK1170-1
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EXAMINER DiBrino Marianne

ART UNIT 1644	PAPER 20081201
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R., §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Web (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. Mailed to:

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P.O. Box 22313 1450
Alexandria, VA 22313 1450

3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:
U.S. Patent and Trademark Office
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Customer Window
Randolph Building
401 Dulaney Street
Alexandria, VA 22314

Any inquiry concerning this communication should be directed to Marianne DiBrino at telephone number 571-272-0842. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, O'Hara B. Eileen, can be reached on 571-272-0848.

/Michael Szperka/
Primary Examiner, Art Unit 1644

**Notice to Comply**Application No.
10/768,097Applicant(s)
Lang et al.Examiner
Marianne DiSarboArt Unit
1644**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set by the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Applicant must provide data at fields <150> and <151> for all parent priority documents.

Applicant Must Provide:

- A final or substitute computer readable form (CRF) copy of the "Sequence Listing".
- A final or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-0731 or (571) 272-0951

For CRF Submission Help, call (571) 272-2510

PatentIn Software Program Support

Technical Assistance 1-866-217-9197 or 703-305-3028 or 571-272-6845

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



Sequence Count Sheet	Application/Control No.	Applicant(s)
	10/765,097	Lang et al.
	Examiner Marianne DiBrino	Art Unit 1644

DATE OF COUNT

Mark only one space below

- (CRFN) (CRF is unreadable; use CRF Diskette Problem Report)
- (CRFD) (CRF does not comply; use Notice to Comply)
- (CRFR) (CRF required but none submitted; use Notice to Comply)
- (bona fide) (second or subsequent letter to applicant reporting bona fide attempt to comply; use Notice to Comply and send copy of RSL)
- (non bona fide) (second or subsequent letter to applicant reporting non-bona fide attempt to comply; use Notice to Comply and send copy of RSL)